

# United States Court of Appeals For the First Circuit

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No. 10-2240

JACKIE HOSANG LAWSON; JONATHAN M. ZANG

Plaintiffs - Appellees/Cross-Appellants

v.

FMR LLC, f/k/a FMR Corp.; FMR CO., INC.; FMR CORP., d/b/a Fidelity Investments; FMR LLC, d/b/a Fidelity Investments; FIDELITY BROKERAGE SERVICES, LLC, d/b/a Fidelity Investments; FIDELITY MANAGEMENT & RESEARCH COMPANY

Defendants - Appellants/Cross-Appellees

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Before

Lynch, Chief Judge,  
Howard and Thompson, Circuit Judges.

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## JUDGMENT

Entered: April 9, 2014

In light of the Supreme Court's decision in Lawson v. FMR LLC, \_\_\_ S. Ct. \_\_\_, 2014 WL 813701 (Mar. 4, 2014), the mandate issued by this court on April 12, 2012 is recalled, the opinion and judgment issued on February 3, 2012 are vacated, and the matter is remanded for further proceedings consistent with the Supreme Court's judgment. That portion of the district court's March 31, 2010 memorandum and order denying defendants' respective motions to dismiss is affirmed.

By the Court:

/s/ Margaret Carter, Clerk

cc:

Benoit, Wilfred J., Jr.  
Butler, Wendy Corrine  
Conrad, Robin S.  
Goldsmith, Willis J.  
Humes, Richard  
Karr, Thomas J.  
Kawka, Shane B.  
Lesser, William C.  
Nemser, Paul E.  
Rees, Jonathan  
Rieser, Mary J  
Rosenberg, Nicholas J.  
Scalia, Eugene  
Smith, M. Patricia  
Talwani, Indira  
Zang, Jonathan M.